

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN THE MATTER OF:

DILIP JANA

Plaintiff,

v.

WALMART, INC.,

Defendant.

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Civil Action No. 4:24-cv-00698-SDJ-BD

**[PROPOSED] ORDER ON PLAINTIFF'S EMERGENCY MOTION FOR IMMEDIATE BINARY
RULING ON DKT. 94/106 UNDER RULE 26(g)(2)**

Before the Court is *Plaintiff's Emergency Motion for Immediate Binary Ruling on Dkt. 94/106 Under Rule 26(g)(2); Notice of Intent to Seek Mandamus if Denied*. Having considered the motion, the record, and applicable law, the Court finds good cause to grant relief.

It is therefore ORDERED that:

1. Walmart's July 18, 2025 transmission ("July 18 set") is **STRICKEN in full** under Federal Rule of Civil Procedure 26(g)(2).
2. Walmart is **PRECLUDED** under Rule 37(c)(1) from relying on, citing to, paraphrasing from, or attaching any material from the July 18 set in this case, including in motions, Rule 72

objections, Answer to Complaint (Dkt. 13), hearings, discovery, or trial.

3. Any “CONFIDENTIAL” legends purporting to cover materials within the July 18 set are **VACATED**. Duplicates of items already on the public docket remain non-confidential under the Protective Order’s public-domain carve-out.
4. This Order is an administrative, stay-compliant ruling that reopens no discovery and waives no other rights.
5. This relief shall take effect immediately. If the Court does not issue a merits ruling on Dkt. 94/106 by **August 26, 2025**, Walmart is prohibited from citing, paraphrasing, attaching, or otherwise relying on its July 18, 2025 transmission (or its June 9, 2025 transmission) in any Rule 72 objections, Answer to Complaint (Dkt. 13), or contemporaneous filing, pending final resolution of Dkt. 94 and Dkt. 106.

SO ORDERED.

Dated: ____ day of _____, 2025.

HON. BILL DAVIS

UNITED STATES MAGISTRATE JUDGE

EASTERN DISTRICT OF TEXAS, SHERMAN DIVISION